

REMARKS

The Office Action mailed January 16, 2004 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

I. Summary of Rejections

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 1, 4, and 6-15 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,339,726 to Miyata, et al.; and
- Claims 2-3 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Miyata and U.S. Patent Number 6,625,158 to Alexander, Jr., et al.

II. Summary of Claims

Claims 1-20 are currently pending in the application, with claims 1 and 16 being independent claims. Claims 16-20 are added, in accordance with the above amendments. Claims 1-15 are unamended and remain, therefore, in their original, as-filed condition.

III. The Claims Patentably Distinguish Over The Applied Prior Art

Independent claim 1 recites the features of a control system for a vending machine with a controlled device. The control system includes a terminal control unit connected to the controlled device for controlling the controlled device in accordance with a control program. The control system also includes a main control unit connected to the terminal control unit through a transmission path. The main control unit controls the terminal control unit through communication with the terminal control unit, and the main control unit includes a transfer means for transferring a signal with a new control program to the terminal control unit through the transmission path. Regarding the terminal control unit, it includes a memorizing means for memorizing the first-mentioned control program as a memorized control program. The terminal control unit also includes a rewriting means connected to the memorizing means and the transfer means for rewriting the memorized control program into the new control program.

Miyata discloses a vending machine with a main control unit and a plurality of sub-control units (i.e., terminal control units). When one of the sub-control units is connected to the vending machine, a control program for the sub-control unit is:

- (1) transferred to the main control unit from the sub-control unit; and
- (2) stored in memory in the main control unit.

Accordingly, a particular sub-control unit includes the necessary control program for operation of the particular sub-control unit. The control program from the particular sub-control unit is then transferred to the main control unit such that the main control unit may properly control the operation of the particular sub-control unit. In this manner, the control programs from a plurality of sub-control units are transferred to the main control unit.

This concept is clearly set forth in Miyata. More particularly, Miyata states “[t]he main control program for the control apparatus is composed of main control program P_M and specific main control programs P_{MA} , P_{MB} , P_{MC} and P_{MD} . Specific main control programs P_{MA} , P_{MB} , P_{MC} and P_{MD} specified to sub-control units 2A, 2B, 2C and 2D, respectively, are stored in the respective sub-control units” (see column 3, lines 44-50. Accordingly, the control programs for the sub-control units are stored in the sub-control units. “Upon connection of sub-control units 2A, 2B, 2C and 2D with main control unit 1, specific main control programs P_{MA} , P_{MB} , P_{MC} and P_{MD} are transferred from sub-control units 2A, 2B, 2C and 2D, respectively, to...main control memory 11, so as to be stored therein. Thereby, main control memory 11 is occupied by main control program P_M and specific main control programs P_{MA} , P_{MB} , P_{MC} and P_{MD} . The control of vending machine is ready to start” (see column 4, lines 2-10). Accordingly, the control programs for the sub-control units are transferred from the sub-control units to the main control unit.

Based upon the above discussion, the control apparatus disclosed in Miyata is different from independent claim 1 in many respects. Independent claim 1 recites that the main control unit includes a transfer means for transferring a signal with a new control program to the terminal control unit through the transmission path. In contrast with independent claim 1, Miyata does not disclose transferring control programs from the main control unit to the sub-control units (i.e., the terminal control units). Instead, Miyata discloses transferring control programs in the opposite direction.

A further difference between independent claim 1 and Miyata is that Miyata does not disclose a rewriting means in the terminal control units. As discussed above, the control

programs are transferred from the sub-control unit to the main control unit. Accordingly, there is no need for a rewriting means in the sub-control unit. In addition, Miyata does not disclose the concept of replacing a control program in the terminal control unit with a new control program.

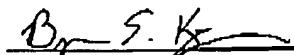
Based upon the above discussion, the Applicants submit that independent claim 1 is allowable over Miyata. Given the deficiencies of Miyata discussed relative to independent claim 1, which are also incorporated into each of the dependent claims, the Applicants also submit that dependent claims 4 and 6-15 are allowable for at least the same reasons. Furthermore, the combination of Miyata and Alexander does not remedy this omission. Accordingly, each of dependent claims 2-3 and 5 should be allowable for at least the same reasons.

IV. Conclusion

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on April 8, 2004. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

By: 
Byron S. Kuzara
Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: (202) 824-3000

Dated: April 8, 2004